

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE CAPITAL ONE TELEPHONE  
CONSUMER LITIGATION ACT  
LITIGATION

This document applies only to:

1:11-cv-5856 (N.D. Ill.)

2:12-cv-0024-RSL (W.D. Wash.)

1:12-cv-01061 (N.D. Ill.)

Master Docket No. 1:12-cv-10064  
MDL No. 2416

CLASS ACTION  
JURY TRIAL DEMANDED

**JOINT STATUS HEARING REPORT**

## **I. JOINT STATUS HEARING REPORT**

On April 12, 2013, the Court entered an Agreed Order to Stay Proceedings Pending Class Mediation (Dkt. No. 39) and set a status hearing on July 9, 2013, at 10:00 a.m. Pursuant to that Order, the parties have exchanged informal discovery to facilitate the mediation process.

On July 2, 2013, counsel for Defendant Capital One Bank (USA), N.A. and the Class Plaintiffs attended a productive, full-day mediation session before the Honorable Edward A. Infante (Ret.) of JAMS. At Judge Infante's suggestion, the parties are in the process of scheduling another mediation session to include counsel for co-defendants Capital Management Systems ("CMS") and Leading Edge Recovery Solutions ("Leading Edge"), and representatives from Defendants' insurers. Capital One's counsel have reached out in good faith to CMS, Leading Edge, and their insurers to encourage their attendance – and anticipate that they will attend the mediation – but have not yet confirmed their attendance. Judge Infante and the parties believe that the participation of these debt collector defendants may significantly advance the negotiation of a global settlement of the class claims. Judge Infante and the parties also discussed the advisability of the Defendants' insurers attending the next mediation session and Defendants are in the process of evaluating this option. The parties anticipate that the second mediation will occur on or before the week of September 16, 2013.

The parties respectfully request that Court reschedule the July 9, 2013, for October 1, 2013, or a date thereafter most convenient to the Court.

Respectfully submitted,

Dated: July 3, 2013

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